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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,711	12/31/2003	Kurian Jacob	CS20960RL	9214
20280	7590	07/21/2010	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			07/21/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/749,711	<b>Applicant(s)</b> JACOB, KURIAN	
	<b>Examiner</b> KHAI M. NGUYEN	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 12-17, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Tendler (U.S.Pub-20030109244), and further in view of Horne (U.S.Pub-20030064719).

Regarding claim 1, Chaskar teaches a method of providing a service to a user of the service comprising the steps of:

establishing first a communication connection (fig.3-4, [0003] lines 1-3), the first communication connection being between a user communication device (fig.2, item 10) and a service provider agent (LCS) ([0003], [0005]);

requesting a service from the service provider agent via the first communication connection ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of

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these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area and [0031]);

providing location information identifying the location of the user to the service provider agent (fig.1: items 44 and 46, [0024] and [0026] determining the location of the mobile station);

Chaskar fails to specifically disclose dispatching a service provider to the user based upon the requested service and the location information; and completing a service transaction via the communication connection upon rendering of the service at the location of the user by the service provider.

However, Tendler teaches dispatching a service provider to the user based upon the requested service and the location information ([0007], [0008], claim 1; The central dispatch office then correlates the position of the vehicle with the services requested, with a match being performed to provide the identity and/or address of the nearest local service provider either to the dispatch operator or to the operator of the motor vehicle).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Tendler to Chaskar to provide the service to user quickly based on the location information.

Chaskar and Tendler fail to specifically disclose establishing a second communication connection; the second communication connection being a direct peer-

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to-peer communication connection between the user communication device and a communication device of the service provider; and completing a service transaction via the communication connection upon rendering of the service at the location of the user by the service provider.

However, Horne teaches establishing a second communication connection (fig.3: item 350 and item 330 (wired or wireless diagnostic link)); the second communication connection being a direct peer-to-peer communication connection between (fig.3: wired or wireless diagnostic link, [0014], a wireless device 350 that is coupled to the subscriber equipment 310 via a wired or wireless diagnostic link 330 that connects a diagnostic port 352 on the wireless device 350 with the diagnostic port 328 on the subscriber equipment 310) the user communication device (fig.3: subscriber equipment 310) and a communication device of the service provider (fig.3: handset diagnostic data bridge 350); and completing a service transaction via the communication connection upon rendering of the service at the location of the user by the service provider ([0014], [0017]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Horne to Chaskar and Tendler to reduce the time spent by the service.

Regarding claims 2, 17, Chaskar teaches the first communication connection comprises a wireless communication connection selected from the group of wireless communication connections comprising: a cellular radiotelephone communication

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connection (fig.6, [0039], [0051], claim 1), a paging communication connection and a wireless data communication connection (fig.6, [0039], [0051], claim 1).

Regarding claim 3, Chaskar teaches the step of providing location information comprises determining location information at the user communication device ([0039], [0051], claim 1) and communicating the location information to the service provider agent via the first communication link ([0039], [0051], claim 1)

Regarding claim 4, Horne further teaches the second communication connection is established relative to the proximity of user communication device and the computer device of the service provider (fig.3, [0014]; a wireless device 350 that is coupled to the subscriber equipment 310 via a wired or wireless diagnostic link 330 that connects a diagnostic port 352 on the wireless device 350 with the diagnostic port 328 on the subscriber equipment 310).

Regarding claim 6, Tendler further teaches obtaining service preference data for the user ([0007], [0008]).

Regarding claim 12, Tendler further teaches informing the user to transit to a location of the service provider ([0007], [0008]).

Regarding claims 13, 24, Chaskar teaches a user communication device/ an apparatus associated with the user comprising:

a processor coupled to a memory (fig.2 controller, memory), the memory including a control program for controlling operation of the processor (fig.2);

a transceiver coupled to the processor (fig.2), transceiver being operable to establish a first communication connection with a service provider agent (fig.3-4, [0003] lines 1-3) and

a user interface coupled to the processor (fig.2);

wherein, the processor (item 50) is operable responsive to an input at the user interface (fig.2: keypad 85) to cause the transceiver to communicate via the first communication connection a service request to the service provider agent (LCS) ([0003], [0005]), the service request including location information relating to the user communication device ([0003] making a call to a required service number or sending a request over the Internet, for example, a mobile subscriber is able to order a selected service announcement to be delivered to the display of the mobile station, for example. Of these individual services, e.g., weather forecast, traffic announcements, local news and other local services, such as taxi ordering and service station announcements and so on are services where the mobile subscriber selects the desired announcement on the basis of the geographical area, [0024], [0026] determining location of mobile device, and [0031]), and.

Chaskar fails to specifically disclose communicate service transaction data directly with the service provider, which is dispatched to a location of the user responsive to the service request and the location information.

However, Tendler teaches communicate service transaction data directly with the service provider ([0007], [0008], claim 1), which is dispatched to a location of the user responsive to the service request and the location information ([0007], [0008], claim 1;

The central dispatch office then correlates the position of the vehicle with the services requested, with a match being performed to provide the identity and/or address of the nearest local service provider either to the dispatch operator or to the operator of the motor vehicle).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Tendler to Chaskar to provide the service to user quickly based on the location information.

Chaskar and Tendler fail to specifically disclose communicate service transaction data directly with the service provider device, via a second communication connection with a service provider device; and via the second communication connection, which is a direct peer-to-peer communication connection between the user communication device and the service provider device, upon rendering of the requested service.

However, Horne teaches communicate service transaction data directly with the service provider device (fig.3: item 350 and item 330 (wired or wireless diagnostic link)), via a second communication connection with a service provider device (fig.3: wired or wireless diagnostic link, [0014], a wireless device 350 that is coupled to the subscriber equipment 310 via a wired or wireless diagnostic link 330 that connects a diagnostic port 352 on the wireless device 350 with the diagnostic port 328 on the subscriber equipment 310); and via the second communication connection, which is a direct peer-to-peer communication connection between the user communication device and the service provider device (fig.3: wired or wireless diagnostic link, [0014], a wireless device 350 that is coupled to the subscriber equipment 310 via a wired or wireless diagnostic



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link 330 that connects a diagnostic port 352 on the wireless device 350 with the diagnostic port 328 on the subscriber equipment 310), upon rendering of the requested service ([0014], [0017]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Horne to Chaskar and Tendler to reduce the time spent by the service.

Regarding claim 14, Chaskar teaches the location information comprises user communication device determined location data ([0024]-[0026]).

Regarding claim 15, Background of the invention further teaches the service request comprises user service preference data ([0002]-[0003]).

Regarding claim 16, Background of the invention further teaches the service request comprises user preference look-up data ([0002]-[0003]).

Regarding claim 22, Chaskar teaches a location detector coupled to the processor to provide the location information (fig.2, [0024]-[0026]).

4. Claims 5, 7-11, 18-21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaskar (U.S.Pub-20040224702), in view of Tendler (U.S.Pub-20030109244), in view of Horne (U.S.Pub-20030064719), and further in view of Chan et al. (U.S.Pub-2004020638).

Regarding claims 5, 18, 19, Chaskar, Tendler, and Horne fail to specifically wherein the second communication connection comprises a communication connection

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selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection.

However, Chan teaches wherein the second communication connection comprises a communication connection selected from the group of communication connections comprising a Bluetooth communication connection and an 802.11-type communication connection (0005, 0022).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Chan to Chaskar, Tendler, and Horne to provide a method for delivering service to users.

Regarding claims 7, 20, Chan further teaches the step of completing a service transaction comprises communicating an information token (abstract).

Regarding claim 8, Chan further teaches the information token comprises service instructions ([0009]).

Regarding claims 9, 21, Chan further teaches the information token comprises payment data ([0009]).

Regarding claims 10, 23, Chan further teaches the step of requesting a service is affected in a single user action (abstract, [0040]-[0042]).

Regarding claim 11, Chan further teaches the single user action comprises selection of a bookmark for establishing the first communication connection and requesting the service (abstract, [0040]-[0042]).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/  
Examiner, Art Unit 2617

7/15/2010